

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/919,521	BEAN ET AL.
	Examiner	Art Unit
	John M. Villecco	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed on February 14, 2005.
2.  The allowed claim(s) is/are 1-27.
3.  The drawings filed on 31 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

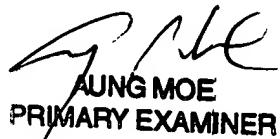
5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
**AUNG MOE**  
**PRIMARY EXAMINER**

**EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

1. Claims 1-27 are allowed.

2. The following is an examiner's statement of reasons for allowance:

Regarding *claim 1*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest an electronically actuatable shutter device comprising a plurality of individually addressable and actuatable shutter elements, and a processor for controlling a focus depth of the lens apparatus and selectively actuating particular shutter elements of the shutter device associated with each of a plurality of focus depths during image capture.

As for *claim 7*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a still camera comprising a shutter device with individually addressable and actuatable shutter elements, which is operated by the method of capturing a first image at a first focus depth comprising a first subset of pixels, wherein the first subset of pixels is associated with a first subset of shutter elements, and obtaining a second image at a second focus depth, wherein the second subset of pixels is associated with a second subset of shutter elements, wherein the first and second subset of shutter elements are different from each other.

With regard to *claim 13*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a method for capturing a still image comprising the steps of accepting a first and second object designation corresponding to first and second object of an image, capturing a first image by exposing a first subset of pixels wherein the first image includes an image of the first object, capturing a second image by exposing a second subset of

pixel elements wherein the second image includes an image of the second object, and wherein the first subset of pixels is different than the second subset of pixels.

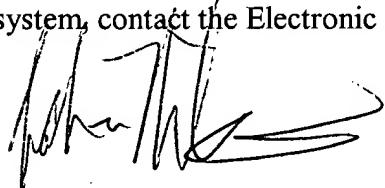
Regarding **claim 21**, the primary reason for allowance is that the prior art fails to teach or reasonably suggest accepting object designations of one or more objects, initiating an image capture in an image sensor, capturing a first object image by exposing a first subset of pixel elements, capturing a second object image by exposing a second subset of pixel elements, wherein the accepting step comprises designating a grouping of shutter elements substantially corresponding to an object.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

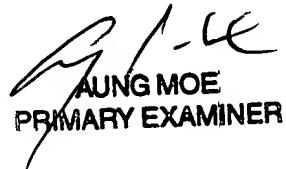
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John M. Villecco  
June 2, 2005



AUNG MOE  
PRIMARY EXAMINER